

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JEFFREY M. MULLER; *et al.*,

Plaintiffs,

v.

THE HON. PHILIP J. MAENZA, *et al.*,

Defendants.

:
:
:
:
:
:
:
:
:
:
:

No. 2:10-CV-6110 (WHW) (CCC)

**DECLARATION OF
JOHN DRAKE**

I, John Drake, declare as follows:

1. I run a business called Overcoat LLC that operates and services automated teller machines (“ATMs”). I routinely carry large quantities of cash in the course of operating this business.

2. I am concerned that someone will injure or kill me in order to take money I am carrying, or to gain access to machines I am working on, or to obtain bank account information.

3. I would carry an operable handgun in public for self-defense, but I refrain from doing so because I fear arrest, prosecution, fine, and imprisonment because I do not hold a Permit to Carry issued pursuant to N.J.S.A. § 2C:58-4.

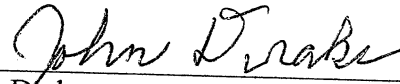
4. I applied for a Permit to Carry a handgun pursuant to N.J.S.A. § 2C:58-4 from the New Jersey State Police on approximately March 17, 2010. A copy of my application is attached as Exhibit 1.

5. Defendant Col. Fuentes of the New Jersey State Police denied my application on July 1, 2010. A copy of the denial letter is attached as Exhibit 2.

6. I met all of the requirements for issuance of a Permit to Carry, except I was found to lack "justifiable need to carry a handgun."

I affirm all of the foregoing statements under penalty of perjury under the laws of the United States of America.

Dated: December 17 2010



John Drake